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HAS A CRIMINAL JURY A RIGHT TO JUDGE THE LAW?—In the case of *Sharf and another v. The United States*, decided January 21 last, 15 Sup. Ct. Rep. 273, the Supreme Court of the United States has considered with the greatest care and elaboration the question of the right of the jury to judge of the law in criminal cases. The court holds (7 to 2) against it. It is easy to see that the opinion of the court (by Harlan, J.) and the dissenting opinion of Gray, J., with whom Shiras, J., concurs, are to be henceforth the great references upon this much debated subject. Mr. Justice Gray, who was the reporter of the great case of *Comm. v. Anthes*, in 5 Gray, 185, and the author of a remarkable and learned note on this question in *Erving v. Craddock*, Quincy, 553, has now put forth all his learning and strength in vindication of his well-known views. If it be thought, as it would seem that it well may be, that he does not satisfactorily establish them, it may well be concluded that it is because it is impossible to establish them.

A "CONSTRUCTIVE" FLIGHT FROM JUSTICE. — Two persons stood in North Carolina and shot across the border at a man in Tennessee and killed him. Upon an indictment in North Carolina for murder, they were discharged, on the ground that their crime was not committed in North Carolina. *State v. Hall*, 114 N. C. 909. Their extradition was then requested by Tennessee, but the Supreme Court of North Carolina held that they were not "fugitives" from Tennessee, and that there was therefore no provision of law for their extradition. *State v. Hall*, 20 S. E. 729. Both decisions are supported by abundant authority.

Two judges, however, dissent from the decision in the second case, upon two grounds: first, that the defendants were "constructively" in Tennessee, if it was true that their crime was committed there, and as a consequence that they had "constructively" fled into North Carolina,